

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:

Case No. 10-11887

BASILICATA REALTY CORP.,

Chapter 11

Debtor.

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APPLICATION FOR AUTHORIZATION AND APPROVAL OF
RETENTION OF ATTORNEYS FOR DEBTOR NUNC PRO TUNC

Basilicata Realty Corp, debtor and debtor in possession (the "Debtor"), as and for its application in support of its motion for authority to retain the Law Office of Cesar A. Fernandez, P.C. ("CAF") as attorneys to the Debtor, respectfully set forth and allege as follows:

1. On April 10, 2010 (the "Petition Date"), the Debtor filed a voluntary petition for relief under chapter 11 of title 11 of the United States Code.
2. The Debtor desires to retain CAF, as of the Petition Date, to represent it in connection with this case, including the preparation of necessary schedules, pleadings and other documents, to represent the Debtor in connection with any proceedings, to negotiate with creditors and prepare and propose a plan and disclosure statement.
3. The Debtor has chosen CAF for the reason that it has experience in chapter 11 cases, and as such, the Debtor believes that CAF is qualified to represent it in this case.
4. The professional services which CAF will render are the general representation of the Debtor in this case and the performance of all legal services to Debtor which may be necessary herein.

5. There is presently no retainer agreement.

6. To the best of the Debtor's knowledge, CAF and its attorneys have no connection with the Debtor, the creditors, or any other party in interest or respective attorneys or accountants, the United States Trustee, or any person employed in the Office of the United States Trustee except as follows:

a. CAF represented Debtor pre-petition

b. Pierino Realty Corp., and Lido Restaurant Corp., are New York Corporations owned and operated by Mr. Pietro Mellampe who is also the Debtor's President. CAF represented Pierino Realty Corp., during a phone discussion with one of its creditors and that creditor or those discussions were unrelated to the instant Chapter 11.

c. CAF does not currently represent any other entities owned by the Debtor's principal.

7. To the best of Debtor's knowledge, said CAF represents or holds no interest adverse to the Debtor or to its estate and is disinterested under Bankruptcy Code § 101(14), as modified by Bankruptcy Code § 1107(b) and CAF's employment would be in the best interests of this estate.

8. Cesar A. Fernandez, Esq. shall be the attorney assigned to the instant Chapter 11 from the Law Office of Cesar A. Fernandez, P.C.

9. The hourly rates and other terms of employment of the law firm is \$325.00 per hour expended on all matters related to the case which shall be billed every tenth of an hour, subject to approval by the U.S. Bankruptcy Court.

WHEREFORE, the Debtor respectfully request that it be authorized to retain the Law Office of Cesar A. Fernandez, P.C., as its attorneys and that the Court grant to the Debtor such other and further relief as is just.

Dated: New York, New York
September 8, 2010

/s/
Pietro Mellampe

/s/
Law Office Of Cesar A. Fernandez, P.C.
Attorneys for Debtor Basilicata Realty Corp.
Cesar A. Fernandez (CAF-8841)
A Member of the Firm
2298 First Avenue, Second Floor
New York, New York 10035
(212) 348-3334

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE:

BASILICATA REALTY CORP.,

Chapter 11

Case No. 10-11887

AFFIRMATION IN SUPPORT

Debtor.

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AFFIRMATION UNDER PENALTY OF PERJURY BY
CESAR A. FERNANDEZ, ESQ., PROPOSED ATTORNEY

I, Cesar A. Fernandez, hereby declare under penalty of perjury that:

1. I am an attorney and counselor at law, duly admitted to practice law in the State of New York and in the Southern District since on or about 1997.

2. I am the sole proprietor of the Law Office of Cesar A. Fernandez, P.C. and I maintain an office for the practice of law at 2298 First Avenue, New York, New York 10035

3. The Law Office has no connection with Basilicata Realty Corp., (the "Debtor") or with any of its respective attorneys or accountants, or the United States Trustee, or any person employed in the office of the United States Trustee, except as follows:

a. CAF represented Debtor pre-petition

b. Pierino Realty Corp., and Lido Restaurant Corp., are New York Corporations owned and operated by Mr. Pietro Mellampe who is also the Debtor's President. CAF represented Pierino Realty Corp., during a phone discussion with one of its creditors and that creditor or those discussions were unrelated to the instant Chapter 11.

c. CAF does not currently represent any other entities owned by the Debtor's principal.

4. CAF represents or holds no interest adverse to the Debtor or to its estate and is disinterested under Bankruptcy Code § 101(14), as modified by Bankruptcy Code § 1107(b) and CAF's employment would be in the best interests of this estate.

_____/S/_____
Cesar A. Fernandez, Esq. (CAF 8841)